

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
November 8, 2009

Closed Session: yes

Call to Order: Meeting was called to order at: 9:36 a.m.

Opening Ceremony: John Bott

Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Melvin L. Kiogima, Councilor Aaron Otto, Councilor Marvin Mulholland, Councilor Rita Shananaquet

Absent: Councilor Gerald V. Chingwa

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Vice-Chairman Dexter McNamara, General Counsel James Bransky, Gaming Board of Directors: Chairperson Carol McFall, Office Manager Cathy Portman, Director Dollie Keway, Director Fred Kiogima, Secretary/Treasurer Sheran Patton and Director Judy Pierzynowski, Casino: Hospitality Manager Mike Bodjiak, Table Games Director Susan Foster, Marketing Director Phil Gonzales, Slot Director Frank Kirsch, Human Resources: Gerri Mesack and Coordinator Katie Bauer

Guests: John Kawegoma, Bea Law, Judy Field, Sharon Sierzputowski, Marcia Sutton, Christina Rhon, John Liebgott, Collin Sutton, Linda Gasco

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to adopt the agenda for November 8, 2009 as amended.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Chingwa)

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to add to the agenda for November 8, 2009 approval of the Special Minutes of November 7, 2009.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Chingwa)

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Otto to approve the minutes of October 25, 2009 as corrected.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Chingwa)

Motion carried.

1
2 Motion made by Councilor Bardwell and supported by Councilor Kiogima to
3 approve the Special Meeting minutes of November 7, 2009.

4 Vote: 7 - Yes, 0 - No, 1 – Abstained (Legislative Leader Julie Shananaquet), 1 –
5 Absent (Councilor Chingwa)

6 Motion carried.

7 9:56 a.m. Councilor Chingwa arrived.

8
9 Tribal Elder Comments: Harvey Gibson spoke regarding the cancellation of
10 Elders luncheons, John Kawegoma spoke regarding the Tribal Chairman's news
11 articles, and the Tribal bond issues. Judy Field spoke regarding Tribal Council
12 wages, travel and the campaign comments from Legislative Leader Julie
13 Shananaquet, Councilor Bardwell and Councilor R. Shananaquet. Judy also
14 spoke regarding the Elder's lunch, Nimkee Technologies, Inc., the budget
15 hearing process, and the non-gaming enterprises. John Kawegoma further spoke
16 regarding a Constitutional convention. Judy Field further spoke regarding the
17 Petoskey News Review reporter not attending Tribal meetings.

18
19 10:50 a.m. Recess called.

20 11:12 a.m. Meeting reconvened.

21
22 Motion made by Secretary Gasco Bentley and supported by Councilor Otto to
23 accept Legislative Leader Julie Shananaquet's verbal and written report for
24 November 8, 2009.

25 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

26 Motion carried.

27
28 Motion made by Secretary Gasco Bentley and supported by Councilor R.
29 Shananaquet to accept the resignation of Marty VanDeCar from the Election
30 Board, and to declare that seat vacant.

31 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

32 Motion carried.

33
34 Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell
35 to appoint Councilor Rita Shananaquet, Councilor Marvin Mulholland, and
36 Councilor Aaron Otto to the Constitutionally Mandated Rules of Conduct for
37 Officials of Tribal Government Ethics Committee.

38 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

39 Motion carried.

40
41 11:49 a.m. Public Comment opened: Harvey Gibson spoke regarding Elder's
42 lunches, John Kawegoma spoke regarding BIA (Bureau of Indian Affairs) lease
43 approvals.

44 11:53 a.m. Public Comment closed.

45
46 Motion made by Councilor R. Shananaquet and supported by Councilor Otto to
47 accept Treasurer Bott's Treasurer and Appropriations and Finance Committee
48 meetings verbal and written reports for November 8, 2009.

1 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

2 Motion carried.

3
4 Motion made by Secretary Gasco Bentley and supported by Councilor Otto to
5 adopt Tribal Resolution: Funding for Children's Winter Solstice Party and
6 Monetary Gift. Funding in the amount of \$17,000 is to come from prior period
7 funds.

8 Roll Call Vote: Councilor Bardwell-no, Councilor Chingwa-yes, Councilor
9 Kiogima-yes, Councilor Mulholland-no, Councilor R. Shananaquet-yes, Councilor
10 Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader
11 Julie Shananaquet-yes

12 Motion carried.

13
14 Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to
15 approve the Appropriations and Finance Committee to research ANA grants for
16 technical infrastructure.

17 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

18 Motion carried.

19
20 12:30 p.m. Lunch recess called until 2:00 p.m.

21 2:01 p.m. Meeting Reconvened.

22
23 3:13 p.m. Public Comment: Michele LaCount spoke regarding the Casino Abeli
24 program and a Governmental mentoring program.

25 3:16 p.m. Public comment closed.

26
27 3:16 p.m. Motion made by Councilor R. Shananaquet and supported by
28 Councilor Otto to go into closed session for confidential financial matters-Casino.

29 Vote: 8 - Yes, 0 - No, 1 - Abstained (Treasurer Bott), 0 - Absent

30 Motion carried.

31
32 3:17 p.m. Recess called.

33 3:38 p.m. Meeting reconvened.

34
35 3:39 p.m. Closed session began.

36
37 Motion made by Councilor Mulholland and supported by Councilor R.
38 Shananaquet to return to open session.

39 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

40 Motion carried.

41
42 4:15 p.m. Recess called.

43 4:27 p.m. Meeting reconvened.

44
45 Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to
46 adopt Tribal Resolution Funding from the United States Department of
47 Agriculture (USDA), Food and Nutrition Services, Food Distribution Program on
48 Indian Reservations (FDPIR).

1
2 Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor
3 Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes,
4 Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative
5 Leader Julie Shananaquet-yes

6 Motion carried.
7

8 Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell
9 to adopt Tribal Resolution Approval to submit: State of Michigan, Department of
10 Human Services, Bureau of Juvenile Justice Community Programming and
11 Support Services, Child Care Fund Unit: Little Traverse Bay Bands of Odawa
12 Indians Child Care Fund Annual Tribal Plan.

13 Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor
14 Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes,
15 Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative
16 Leader Julie Shananaquet-yes

17 Motion carried.
18

19 Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to
20 approve Enrollment list A – Eligible for Citizenship dated October 19, 2009 for a
21 total of 16.

22 Vote: 8 - Yes, 1 - No (Councilor Chingwa), 0 - Abstained, 0 - Absent

23 Motion carried.
24

25 Motion made by Secretary Gasco Bentley and supported by Councilor R.
26 Shananaquet to approve Enrollment List B – Declination (Ineligible) dated
27 October 19, 2009 for a total of 3.

28 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

29 Motion carried.
30

31 Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima
32 to acknowledge receipt of Enrollment C - List Voluntary Relinquishment dated
33 October 20, 2009 for a total of 1.

34 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

35 Motion carried.
36

37 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell
38 to acknowledge receipt of Tribal Chairman Harrington's verbal and written report
39 with confidential items contained therein.

40 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

41 Motion carried.
42

43 Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to
44 accept the Land and Reservation Committee verbal report from Committee
45 Chairperson Kiogima for November 8, 2009.

46 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

47 Motion carried.
48

1
2 Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to
3 accept Legislative Services Attorney Budnick's verbal and written report for
4 November 8, 2009.

5 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

6 Motion carried.

7
8 Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to
9 place on the Legislative Calendar the Whistle Blower Protection, Health
10 Department and Treasurer's Responsibilities Draft Statutes.

11 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

12 Motion carried.

13
14 Motion made by Secretary Gasco Bentley and supported by Councilor R.
15 Shananaquet to appoint Lily Anderson to the Education Appeals Board for a 4-
16 year term expiring on September 21, 2013.

17 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

18 Motion carried.

19
20 Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to
21 appoint John Keshick and Daugherty Johnson III to the Natural Resource
22 Commission for a 4-year term ending September 21, 2013.

23 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

24 Motion carried.

25
26 Motion made by Councilor R. Shananaquet and supported by Secretary Gasco
27 Bentley to appoint Debbie De Leon for a 2-year term ending September 21,
28 2011; Bill A. Denemy for a 3-year term and Heidi Bosma for a 3-year term ending
29 September 21, 2012 to the Child Welfare Commission.

30 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

31 Motion carried.

32
33 Motion made by Councilor Kiogima and supported by Councilor Mulholland to
34 appoint Emily Proctor for a 3-year term ending September 21, 2012 to the Child
35 Welfare Commission.

36 Vote: 2 - Yes, 7 - No (Councilor Bardwell, Councilor Chingwa, Legislative Leader
37 Julie Shananaquet, Treasurer Bott, Councilor R. Shananaquet, Councilor Otto,
38 Secretary Gasco Bentley, 0 - Abstained, 0 - Absent

39 Motion failed.

40
41 Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa
42 to appoint Marilyn Shananaquet Hume for a 3-year term ending September 21,
43 2012 to the Gaming Regulatory Commission.

44 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

45 Motion carried.

46
47 5:25 p.m. Motion made by Councilor Otto and supported by Councilor Bardwell to
48 adjourn.

1 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
2 Motion carried.
3
4
5

6 These Minutes have been read and approved as written (or) corrected: (delete
7 either the word "written" or "corrected" as pertains to how the minutes were
8 approved.)
9

10
11
12 _____
13 Regina Gasco Bentley, Tribal Council Secretary

Date